

PATENT APPLICATION SERIAL NO. 09/308397

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

05/24/1999 WCLAYBRD 00000039 192570 09308397

01 FC:962	96.00 CH
02 FC:966	72.00 CH
03 FC:964	312.00 CH

Form PTO 1390 (REV 5-93)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER P50593
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED / ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) 09/308397
INTERNATIONAL APPLICATION NO. PCT/US97/20992	INTERNATIONAL FILING DATE 14 November 1997	PRIORITY DATE CLAIMED 18 November 1996	
TITLE OF INVENTION Novel FabD			
APPLICANT(S) FOR DO/EO/US Daniel R Gentry, John T Lonsdale, David J Payne, Stewart C Pearson, Glenn Van Aller			

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☐ Other items or information:

09/308397-051399

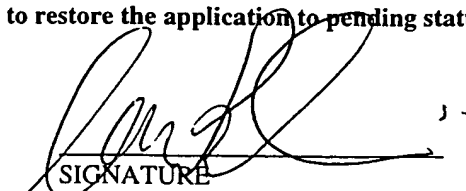
051699 " 258050" 051699

US APPLICATION NO. (if known see 37 CFR 1.50) Unknown		INTERNATIONAL APPLICATION NO. PCT/US97/20992		ATTORNEYS DOCKET NO. P50593	
17. [X] The following fees are submitted:				CALCULATIONS PTO USE ONLY	
Basic National Fee (37 C.F.R. 1.492(a)(1)-(5)):					
Search Report has been prepared by the EPO or JPO\$930.00					
International Preliminary Examination Fee paid to USPTO (37 CFR 1.482)\$720.00					
No International Preliminary Examination Fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2))\$790.00					
Neither International Preliminary Examination Fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$1070.00					
International Preliminary Examination Fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4).....\$98.00					
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$98.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 20 or 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$0.00	
Claims	Number Filed	Number Extra	Rate		
Total claims	24 - 20 =	4	4x \$22.00	\$88.00	
Independent claims	7 - 3 =	4	4 x \$82.00	\$328.00	
Multiple dependent claims (if applicable)		0	+ \$270.00	\$0.00	
TOTAL OF ABOVE CALCULATIONS =				\$514.00	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				\$	
SUBTOTAL =				\$514.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)) +				\$	
TOTAL NATIONAL FEE =				\$514.00	
				Amount to be refunded	\$
				charged	\$

- a. ☐ A check in the amount of \$_____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 19-2570 in the amount of **\$514.00** to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-2570. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:
SMITHKLINE BEECHAM CORPORATION
 Corporate Intellectual Property - UW2220
 P.O. Box 1539
 King of Prussia, PA 19406-0939
 Phone (610) 270-4478
 Facsimile (610) 270-5090


 SIGNATURE
 Edward R. Gimmi
 NAME
 38,891
 REGISTRATION NO.

09/308397

510 Rec'd PCT/PTO 18 MAY 1999

EXPRESS MAIL LABEL NO. EL231311462US
DATE OF DEPOSIT: 18 May 1999

Attorney Docket No. P50593

INTERNATIONAL APP. NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/US97/20992	14 November 1997	18 November 1996

TITLE OF INVENTION
Novel FabD

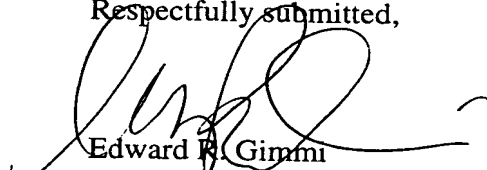
APPLICANT(S) FOR DO/US

Daniel R Gentry, John T Lonsdale, David J Payne, Stewart C Pearson, Glenn Van Aller

FILING OF AN INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(b)

The attached list of citations on PTO Form 1449 is being submitted under the provisions of 37 CFR §1.56 and §1.97 in order to comply with the duty of disclosure. Their inclusion herein should not, however, be construed as an admission that any particular cited reference is effective prior art or that it discloses or renders obvious any aspect of the claimed invention. A copy of each cited reference is enclosed, except for those references which are already part of the filewrapper. This statement is being filed within the time period specified in 37 CFR §1.97(b). No fee is required.

Respectfully submitted,


Edward R. Gimmi
Attorney for Applicants
Registration No. 38,891

SMITHKLINE BEECHAM CORPORATION
Corporate Intellectual Property - UW2220
P.O. Box 1539
King of Prussia, PA 19406-0939
Phone (610) 270-4478
Facsimile (610) 270-5090

09/308397

PATENT
ATTORNEY'S DOCKET NUMBER P50593TRANSMITTAL LETTER TO THE U.S. DESIGNATED OFFICE
(DO/US) - ENTRY INTO NATIONAL STAGE UNDER 35 USC 371

INTERNATIONAL APP. NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/US97/20992	14 November 1997	18 November 1996

TITLE OF INVENTION
Novel FabDAPPLICANT(S) FOR DO/US
Daniel R Gentry, John T Lonsdale, David J Payne, Stewart C Pearson, Glenn Van AllerBox PCT
Assistant Commissioner for Patents
Washington, D.C. 20231
ATTENTION: DO/US

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this Transmittal Letter and the papers indicated as being transmitted therewith, and Post Card are being deposited with the United States Postal Service on this date May 18, 1999 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number **EL231311462US** addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

VERONICA E WERNER

(Typed or printed name of person mailing paper)

Veronica E. Werner

(Signature of person mailing paper)